

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

PATRICIA KAMMEYER, et al.	:	CASE NO.: C-1-01-649
Plaintiffs,	:	Judge Spiegel
vs.	:	(Magistrate Black)
CITY OF SHARONVILLE, OHIO, et al.	:	MEMORANDUM OF DEFENDANT
Defendants.	:	NUSS IN OPPOSITION TO
		PLAINTIFFS' MOTION FOR A
		<u>PROTECTIVE ORDER (DOC. 263)</u>

Like Plaintiffs, if Albert Schuhholz killed Marie Schuhholz and Starla Burns or hired someone to kill those women, Defendant Nuss hopes that the criminal prosecution of Mr. Schuhholz is successful. However, Defendant Nuss cannot for three reasons agree with what Plaintiffs have proposed in their motion. First, it will violate Defendant Nuss's and the public's right to have the trial open to the public. Second, it will impose an unreasonable burden in time and expense on him. (At a *minimum*, the length of the trial will double.) Third, it will require Defendant Nuss to present an interrupted and disjointed case, which will prejudice him. Accordingly, Defendant Nuss opposes Plaintiffs' Motion For Protective Order, and it should be denied.

Respectfully submitted,

s/Brian E. Hurley
 Brian E. Hurley (0007827)
 Robert J. Gehring (0019329)
 Crabbe, Brown & James LLP
 Attorneys For Defendant William Nuss
 30 Garfield Place, Suite 740
 Cincinnati, Ohio 45202-4359
 (513) 784-1525 - telephone
 (513) 784-1250 - facsimile
Bhurley@cbjlawyers.com
Rgehring@cbjlawyers.com

CERTIFICATE OF SERVICE

I hereby certify that on May 6, 2005, a copy of the forgoing was filed electronically. Notice of this filing will be sent to all registered parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/Brian E. Hurley

Brian E. Hurley

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